

MELINDA HAAG (CABN 132612)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

BENJAMIN KINGSLEY (NYBN 4758389)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6937
FAX: (415) 436-7234
Benjamin.Kingsley@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO: CR 15-392 RS
)	
Plaintiff,)	STIPULATION AND PROPOSED PROTECTIVE
)	ORDER REGARDING DISCOVERY OF
v.)	SENSITIVE INFORMATION
)	
RYAN CARDENAS,)	
)	
Defendant.)	
)	
)	

Defendant is charged in an eight-count indictment with bank fraud, aggravated identity theft, uttering forged securities, and possessing stolen United States mail. Pursuant to defendant's request for discovery, the United States will produce to defendant media compiled as part of this investigation. This media includes images access device and identity information belonging to many individuals, some of whom are victims of the charges alleged against defendant in the indictment. Because some of this material is relevant to the government's case against defendant and redacting it would be impractical, the parties stipulate, and the Court orders, that disclosure of these materials shall be subject to the following restrictions:

1. All materials produced by the United States in this case and containing access device material (including but not limited to access device account numbers and images of access devices) or personally identifying information belonging to individuals other than defendant shall be labeled

STIPULATION AND [PROPOSED] PROTECTIVE ORDER

1 “protected material.”

2 2. Except when being actively examined for the purpose of the preparation of the defense of
3 defendant, any protected material (including copies of print-outs of digital media) produced by the
4 United States to defense counsel, Candis Mitchell, shall be maintained in an office accessible only to
5 Ms. Mitchell, other attorneys and employees of the Federal Public Defender, or escorted guests. Ms.
6 Mitchell and the Federal Public Defender shall not permit any person access of any kind to the protected
7 material except as set forth below.

8 3. The following individuals may examine protected material and copies of print-outs
9 thereof for the sole purpose of preparing the defense or sentencing, of the defendant and for no other
10 purpose:

- 11 a) Counsel for the defendant, Candis Mitchell, and any other attorneys in the office
12 of the Federal Public Defender;
- 13 b) Paralegals and investigators in the office of the Federal Public Defender,
14 including the Federal Public Defender Computer Systems Administrators;
- 15 c) The defendant Ryan Cardenas, but only in the presence of his attorney;
- 16 d) Any outside expert retained by the defendant to analyze the computer media in
17 this matter; and
- 18 e) US Probation.

19 If defense counsel determines that additional attorneys, experts, paralegals or investigators are needed to
20 review the material, she must obtain a further order of the Court before allowing any other individual to
21 review the material.

22 4. A copy of this Order shall be maintained with the protected material and copies of print-
23 outs thereof at all times.

24 5. No other person may be allowed to examine the material without further court order.
25 Examination of the protected material and copies of print-outs thereof shall be done in a secure
26 environment that will not expose the materials to other individuals not listed above.

27 6. Files contained within the protected material may be duplicated to the extent necessary to
28 prepare the defense of this matter but if duplicated, are subject to the same restraints as the material

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1 itself.

2 7. Any pleadings that include the above-described materials or their contents shall be filed
3 under seal or with appropriate redactions removing personal identifiers and access device information.

4 8. Within 30 court days of the judgment and sentencing hearing in this matter, all material
5 provided to defense counsel pursuant to this Order, and all other authorized copies, if any, shall be
6 returned to the United States. The United States shall destroy them. If an appeal is noticed and Ms.
7 Mitchell continues to represent the defendant on appeal, she may continue to retain possession of the
8 materials according to the terms of this Order until the conclusion of the matter in the Court of Appeals.
9 The government will maintain a copy of all Protected Material in compliance with its normal document
10 retention policies.

11 IT IS SO STIPULATED.

12 DATED: August 18, 2015

13 /s/
BENJAMIN KINGSLEY
Assistant United States Attorney

14
15 DATED: August 18, 2015

16 /s/
CANDIS MITCHELL
Counsel for Defendant Ryan Cardenas

17
18 ~~[PROPOSED]~~ ORDER

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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21
22 DATED: 8/20/15

23 
HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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STIPULATION AND [PROPOSED] PROTECTIVE ORDER